

REMARKS

This amendment is responsive to the Office Action dated April 23, 2002. Accompanying the present amendment is the fee for a one-month request for extension of time.

The present amendment amends independent claims 1, 24 and 47 and dependent claims 3, 17, 26, 40, 49 and 63. Claims 2, 8, 25, 31, 48 and 54 have been cancelled. Accordingly, claims 1, 3-7, 9-24, 26-30, 32-47, 49-53 and 55-69 remain pending in the present application.

Claims 1, 2, 4-25, 27-48 and 50-69 were rejected under 35 USC §102 as being unpatentable over Hartman et al, U.S. patent 5,906,411. Reconsideration and withdrawal of these rejections are respectfully requested.

The applied reference does not teach or even suggest the claimed step of

"responsive to receiving the first online request, providing a bifurcated order processing route that requests the customer to choose a first order processing route or a second order processing route, the first order processing route causing the first online purchase request to be processed according to an express processing procedure that requires no further input by the customer to execute the first online purchase request, the second order processing route causing the first online purchase request to be placed in a shopping cart that allows one or more additional purchase requests for additional items to be placed therein, the second order processing route affording the customer an opportunity to cause execution of the first and any additional purchase requests placed in the shopping card to be processed according to the express ordering processing that requires no further input by the customer to execute."

Indeed, the Hartman et al. reference does not teach or suggest a bifurcated order processing route, whereby customers are requested to choose a first or a second order processing route, in which the second order processing route affords the customer the opportunity to cause express ordering processing on their shopping cart, as claimed.

Moreover, the Hartman reference does not teach or suggest any mechanism by which items placed in a shopping cart may be processed according to an express ordering processing that requires no further input by the customer to execute. In fact, Hartman et al. expressly teach that the item ordered via their "one-click" model is *"ordered without using a shopping cart ordering*

model." (see Hartman et al's claim 1, lines 35-36); and *"whereby the item is ordered independently of a shopping cart model and the order is fulfilled to complete a purchase of the item."* (see Hartman et al's claim 11, lines 28-30).

Support for the amended claim language is found in Fig. 8 and described in the originally filed specification at, for example, beginning at page 20, line 7.

That the Hartman et al. reference does not teach the presently claimed second order processing route whereby the customer is afforded the opportunity to cause execution of the first and any additional purchase requests placed in the shopping cart to be processed according to the express ordering processing that requires no further input by the customer is, in fact, acknowledged by the Examiner, at page 7, second full paragraph, which states: "Hartman et al. does not disclose the automatic checking out of the shopping cart". That Hartman et al. teaches the consolidation of various single action orders to save shipping costs is not believed to be material to the presently claimed invention. Moreover, that Hartman teaches prompting the user for billing and shipping information does not amount to a teaching or a suggestion of the presently claimed subject matter.

As each of the independent claims now incorporates recitations drawn to the bifurcated processing route, these claims are believed to be allowable over the applied art. Since the claims that are dependent upon the independent claims amended herewith include all of the limitations thereof, the remaining dependent claims are also believed to be allowable over the applied art.

Claims 3, 26 and 49 were rejected as being obvious over a combination of the above-discussed Hartman et al., in view of Bezos, US patent 6,029,141. Reconsideration and withdrawal of the above-applied rejections are respectfully requested.

Neither Hartman or Bezos, considered singly or in combination, teach or suggest a list that

is "persistently stored to enable later retrieval and processing according to the first or second order processing routes", as claimed. The only disclosure of a list in Bezos occurs when he is describing the contents of a shopping cart: *"The information stored within the shopping cart includes a list of the products that have been selected by the customer for prospective purchase, together with an identifier of the referring associate (if any) corresponding to each such product. In one implementation, each shopping cart persists on the site 106 for an extended period of time (such as one week) following the most recent access by the customer, allowing the customer to conduct extended shopping sessions"* Col. 7, line 65 to Col. 8, line 6. Thus, according to Bezos, a list is simply an enumeration of the contents of the shopping cart - and has no existence outside of the shopping cart. According to the present invention, however, a list may exist independently of a shopping cart and is a persistently stored construct that may be selected by the customer and processed according to either of the claimed first or second order processing routes. The cited combination does not disclose, teach or suggest such lists. Reconsideration and withdrawal of the §103 rejections are, therefore, warranted.

Applicant's attorney believes that no new matter has been introduced by this amendment and that the present application in condition for an early allowance. If any unresolved issues remain, please contact the undersigned attorney of record at the telephone number indicated below.

Respectfully submitted,

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MARKED VERSION TO SHOW AMENDMENTS MADE

IN THE CLAIMS:

Please amend the claims as follows:

--1. (Amended) A method of processing an online purchase request from a customer to a vendor, comprising the steps of:

receiving a first online purchase request for a first item;

responsive to a receiving the first customer input online request, providing a bifurcated order processing route that requests the customer to choose a first order processing route or a second order processing route, the first order processing route causing processing the first online purchase request to be processed according to using an express processing procedure that requires no further input by the customer to execute the first online purchase request, the second order processing route causing the first online purchase request to be placed in or as a shopping cart that requires a second customer input allows one or more additional purchase requests for additional items to be placed therein, the second order processing route affording the customer an opportunity to cause execution of the first and any additional purchase request placed in the shopping card to be processed according to the express ordering processing that requires no further input by the customer to execute.

~~responsive to the second customer input, selectively processing the customer's shopping cart by the express processing procedure or by a normal checkout procedure;~~

~~converting the processed shopping cart or the processed first online purchase request into a first executable order.--~~

Cancel claim 2.

--3. (Amended) The method of Claim 2, further including a step of enabling the customer to create a list that includes the first and at least one second item, the list being persistently stored to enable later retrieval and use processing according to the first or second order processing routes.--

Cancel claim 8.

--17. (Amended) The method of Claim 1, further comprising the step of converting the first and any additional purchase requests into an sending the first executable order and sending the executable order to an order fulfillment system.--

--24. (Amended) A computer system configured for processing an online purchase request from a customer to a vendor, comprising:

at least one processor;

at least one data storage device;

a plurality of processes spawned by said at least one processor, the processes including processing logic for:

receiving a first online purchase request for a first item;

responsive to a receiving the first customer input online request, providing a bifurcated order processing route that requests the customer to choose a first order processing route or a second order processing route, the first order processing route causing

~~processing the first online purchase request to be processed according to using~~ an express processing procedure that requires no further input by the customer to execute the first online purchase request, the second order processing route causing the first online purchase request to be placed in or as a shopping cart that requires a second customer input allows one or more additional purchase requests for additional items to be placed therein, the second order processing route affording the customer an opportunity to cause execution of the first and any additional purchase request placed in the shopping card to be processed according to the express ordering processing that requires no further input by the customer to execute.

~~responsive to the second customer input, selectively processing the customer's shopping cart by the express processing procedure or by a normal checkout procedure;~~

~~converting the processed shopping cart or the processed first online purchase request into a first executable order.--~~

Cancel claim 25.

--26. (Amended) The computer system of Claim 24, further including a process for carrying out a step of enabling the customer to create a list that includes the first and at least one second item, the list being persistently stored to enable later retrieval and use processing according to the first or second order processing routes.--

Cancel claim 31.

--40. (Amended) The computer system of Claim 24, further comprising the step of converting the first and any additional purchase requests into an sending the first executable order and sending the executable order to an order fulfillment system.--

-47. (Amended) A machine-readable medium having data stored thereon representing sequences of instructions which, when executed by computing device, causes said computing device to process an online purchase request from a customer to a vendor by performing the steps of:

receiving a first online purchase request for a first item;

responsive to a receiving the first customer input online request, providing a bifurcated order processing route that requests the customer to choose a first order processing route or a second order processing route, the first order processing route causing processing the first online purchase request to be processed according to using an express processing procedure that requires no further input by the customer to execute the first online purchase request, the second order processing route causing the first online purchase request to be placed in or as a shopping cart that requires a second customer input allows one or more additional purchase requests for additional items to be placed therein, the second order processing route affording the customer an opportunity to cause execution of the first and any additional purchase request placed in the shopping card to be processed according to the express ordering processing that requires no further input by the customer to execute.

~~responsive to the second customer input, selectively processing the customer's shopping cart by the express processing procedure or by a normal checkout procedure;~~

~~converting the processed shopping cart or the processed first online purchase request into a first executable order.--~~

Cancel claim 48.

--49. (Amended) The medium of Claim 47, further including a step of enabling the customer to create a list that includes the first and at least one second item, the list being persistently stored to enable later retrieval and use processing according to the first or second order processing routes.--

Cancel claim 54.

--63. (Amended) The medium of Claim 47, further comprising the step of converting the first and any additional purchase requests into an ~~sending the first~~ executable order and sending the executable order to an order fulfillment system.--